

OLS, INC.
1030 Cambridge Square, Suite E
Alpharetta, GA 30201

SOUTH CAROLINA TARIFF NO. 1
Original Sheet No. 1

ISSUED: June 9, 1998

EFFECTIVE: November 30, 1998

TITLE SHEET

TARIFF OF

OLS, Inc.

This tariff contains the description, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by OLS, Inc., with principal offices at 1030 Cambridge Square, Suite E, Alpharetta, Georgia 30201. This tariff applies to services furnished within South Carolina. This tariff is on file with the South Carolina Public Service Commission, where copies may be inspected, during normal business hours.

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CHECK SHEETS

Sheets 1 through 26 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date at the top of this sheet.

<u>PAGE</u>	<u>REVISION</u>
1	Original*
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SYMBOLS

The following are the only symbols used for the purpose indicated below:

- (D) - Discontinued rate or regulation
- (I) - Increase in rate
- (M) - Moved to/from another tariff location
- (N) - New rate or regulation
- (R) - Reduction in rate
- (T) - Change in text only

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TARIFF FORMAT

- A. Page Numbering - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the South Carolina P.S.C. For example, 4th Revised Page 14 cancels the 3rd Revised Page 14. Because of various suspension periods, deferrals, etc. the South Carolina P.S.C. follows in its tariff approval process, the most current page number on file with the South Carolina P.S.C. is not always the tariff page in effect. Consult the Check Sheet for the page currently in effect.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.
 - 2.1.
 - 2.1.1.
 - 2.1. I.A.
 - 2.1. I.A. 1.
 - 2.1.1.A.1.(a).
 - 2.1.1.A.1.(a).I.
 - 2.1.1.A.1.(a).I.(i).
 - 2.1.1.A.1.(a).I.(i).(l).
- D. Check Sheets - When a tariff filing is made with the South Carolina P.S.C., an updated check sheet accompanies the tariff filing. The check sheet lists the pages contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc., remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular page is the most current on file with the South Carolina P.S.C.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Authorization or Account Code - A numerical code of four to eleven digits, one or more of which codes are available to a customer to enable the customer to lawfully connect its communication devices for the purpose of accessing the telecommunications networks of OLS, Inc.'s Underlying Carrier, and which thereby are used to prevent unauthorized network access and to identify the customer and its calling volumes for billing purposes.

Carrier or Company - OLS, Inc. or OLS.

Customer - The person, firm, corporation, end user or other entity which orders or uses services and is responsible for the payment of charges.

Holidays - New Year's Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.

Rate Center - The Points of Presence (POPs) or first point of interconnection of local exchange facilities providing access to the long distance network of the Company's Underlying Carrier and the point from which a customer's traffic is rated and billed.

Service Agreement - Company's standard form for the ordering and acceptance of a customer's request for and commitment to take Company's service offerings pursuant to this tariff.

South Carolina P.S.C. - South Carolina Public Service Commission.

Underlying Carrier - The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of customer telecommunications traffic within South Carolina.

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SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of Company

Company undertakes to provide only those designated Services as are furnished under the terms and subject to the conditions and customer payment of the applicable rates of this tariff for communications originating and terminating within South Carolina.

The Company's Services are available to its customers twenty four hours per day, seven days per week.

2.2 Limitations

2.2.1 Service is offered subject to the availability of the facilities of Company's Underlying Carrier and the provisions of this tariff.

2.2.2 Company reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control, including without limitation, for customer non-payment of charges; or when the customer's use of a service becomes or is in violation of the law or the provisions of this tariff.

2.2.3 The Services provided under this tariff are subject to the direct and exclusive control of the Company. No one may alter or affect the Services nor transfer or assign its use of the Services without the express written consent of the Company, which consent may be withheld, without limitation, by Company in its sole discretion at any time such alteration, effect, transfer or assignment would result in an interruption of the Services or a change in the customer's location to which the Services are to be provided.

2.2.4 In the event prior written permission from the Company is given for any assignment or transfer, all regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.3 Liabilities of the Company

- 2.3.1** Company has no liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission or call processing of customer's communications traffic by the Underlying Carrier. The Company's liability for such damages occurring in the course of furnishing the Company's Services but not caused by its gross negligence or willful misconduct or that of its employees or agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which such mistakes, interruptions, omissions, delays, errors, or defects in the Company's furnishing of its Services occur.
- 2.3.2** Acceptance of the provisions of Section 2.3.1 by the Commission does not constitute its determination that the limitation of liability imposed by the Company should be upheld in a court of law; but the recognition that as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of Section 2.3.1.
- 2.3.3** Company shall be indemnified and held harmless by the customer against:

 - (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content of a customer's communications traffic;
 - (B) Claims for patent infringement arising from a customer's use of its equipment, facilities or systems with the Company's Services; and
 - (C) All other claims arising out of any act or omission of the customer in connection with any service provided by Company.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.4 Interruption of Service

- 2.4.1** Credit allowance for the interruption of service is subject to the general liability provisions set forth in Section 2.3.1 herein. Customer shall receive no credit allowance for interruption of service due to Carrier's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer. It shall be the obligation of the customer to notify the Company immediately of any interruption in service for which a credit allowance is claimed. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission within customer's control, or is not in wiring or equipment, if any, furnished by the customer in connection with the Company's Services.
- 2.4.2** No credit is allowed in the event service must be interrupted in order to provide routine service quality or related investigations.
- 2.4.3** Credit for failure of service shall be allowed only when such failure is caused by or occurs due to causes within the control of Company or in the event Company is entitled to a credit for the failure of the facilities of Company's Underlying Carrier used to furnish customer's service.
- 2.4.4** No credit shall be allowed:
- (A) For failure of services or facilities of customer; or
 - (B) For failure of services or equipment caused by the negligence or wilful acts of customer.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.4 Interruption of Service (cont'd)

- 2.4.5 Credit for an interruption shall commence after customer notifies Company of the interruption or when Company becomes aware thereof, and ceases when service has been restored.
- 2.4.6 Before customer notifies Company of an interruption, customer shall make reasonable attempts to ascertain that customer, a third party or its or their actions and/or equipment is/are not the cause thereof.
- 2.4.7 Credits are applicable only to that portion of service interrupted.
- 2.4.8 For purposes of credit computation, every month shall be considered to have 720 hours.
- 2.4.9 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.4.10 The customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the service affected for each hour or major fraction thereof that the interruption continues. Calculations of the credit shall be made in accordance with the following formula.

Credit Formula:

$$\text{Credit} = \frac{A}{720} \times B$$

"A" = outage time in hours

"B" = total monthly charge for affected facility

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.5 Restoration of Service

The use and restoration of service shall be administered by the Underlying Carrier in accordance with the priority system specified in the Rules and Regulations of the South Carolina P.S.C.

2.6 Deposits

The Company does not require a deposit from its customers.

2.7 Advance Payments

The Company does not collect advance payments.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.8 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax and so forth) are listed as separate line items and are not included in the Company's scheduled rates.

- 2.8.1 In the event Company incurs fees or expenses, including attorney's fees, to collect, or attempt to collect, any charges owed Company by customer, including charges alleged to have resulted from fraud or abuse of customer's services, the Company shall charge customer all such fees and expenses, including Company's reasonable attorney's fees, incurred to collect or to attempt to collect its charges, and Company shall be entitled to recover such fees or expenses irrespective of whether it prevails in any legal action brought to collect its charges, all in accordance with and subject to the following additional legal requirements -
- 2.8.2 In accordance with the "filed tariff doctrine," as established by judicial and regulatory decisions and precedents, customer shall pay all charges due and owing irrespective of any claims of loss, liability, set off, damages, or other claims against Company to which customer may claim to be entitled, the duty to pay such charges shall arise upon the demand for payment by Company and shall not be delayed or deferred by the commencement of any legal or equitable action by either customer or Company in connection with such charges incurred under this tariff.
- 2.8.3 Customer agrees that all actions, suits or proceedings to recover charges due under this tariff shall, at the Company's discretion, be prosecuted in the state or federal courts in the state in which the Company maintains its principal offices or in which it administers its legal/regulatory affairs. Customer consents to and submits to the exercise of jurisdiction over the subject matter, waives personal service of any and all process upon it, and consents that all such service of process be made by registered mail directed to customer at its address registered with Company. Service so made shall be deemed to be completed five business days after such process shall have been deposited in the mail, postage prepaid.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.9 Employee Concessions

There are no employee concessions.

2.10 Specific Services

The Company does not currently offer any specific services for which conditions of eligibility apply.

2.11 Billing

Company's billing agents are certified local exchange carriers operating in South Carolina.

2.12 Marketing Practices

As a telephone utility under the regulation of the Public Service Commission of South Carolina, OLS does hereby assert and affirm that as a reseller of intrastate telecommunications service, OLS will not indulge or participate in deceptive or misleading telecommunications marketing practices to the detriment of consumers in South Carolina, and OLS will comply with those marketing procedures, if any, set forth by the Public Service Commission. Additionally, OLS will be responsible for the marketing practices of its contracted telemarketers for compliance with this provision. OLS understands that violation of this provision could result in a rule to show cause as to the withdrawal of its certification to complete intrastate telecommunications traffic within the State of South Carolina.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.13 Billing Disputes

- 2.13.1 Billing disputes shall be processed by the Company or its billing agent(s) consistent with SCPUC regulations.
- 2.13.2 A valid billing dispute consists of written documentation specifically listing the total dollar amount of the dispute, the specific rate elements being disputed, and their dollar amounts.
- 2.13.3 Refusal to pay an entire bill or any portion thereof without written supporting documentation will not be considered a valid dispute and will be handled as a non-payment.
- 2.13.4 In the event that a billing dispute is resolved in favor of the Company, late payment charges will apply to amounts withheld pending settlement of the dispute. Late payment charges are calculated as set forth in Section 4.8 except that when the customer disputes the bill on or before the payment date and pays the undisputed amount on or before the payment date, the penalty interest period shall not begin until 10 days following the payment date.
- 2.13.5 Customer agrees that all actions, suits or proceedings to recover charges due under this tariff shall, at the Company's discretion, be prosecuted in the state or federal courts in the state in which the Company maintains its principal offices or in which it administers its legal/regulatory affairs. Customer consents to and submits to the exercise of jurisdiction over the subject matter, waives personal service of any and all process upon it, and consents that all such service of process be made by registered mail directed to customer at its address registered with Company. Service so made shall be deemed to be completed five business days after such process shall have been deposited in the mail, postage prepaid.
- 2.13.6 Customers may contact the Company at (888) 399-4660 or 1030 Cambridge Square, Suite E, Alpharetta, GA 30201 to discuss billing disputes. Customers unsatisfied with the Company's handling of a dispute may contact the South Carolina Public Service Commission, Post Office Drawer 11649, Columbia, SC 29211 or by phone at (803) 737-5256.
- 2.13.7 If a notice of dispute as to charges is not received by the Company in writing within the applicable statute of limitations, such bills shall be deemed correct and binding.

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SECTION 2 - RULES AND REGULATIONS (Cont'd)

2.14 Form and Content of Termination Notice

In the event that the Company proposes to terminate service to a customer pursuant to this tariff, the Company will send the customer a written notice of termination. The notice will be titled "SHUT OFF NOTICE" or "CUT OFF NOTICE" in type at least one-quarter (1/4) inch in height and will clearly indicate that it is a disconnect notice. The disconnect notice will contain the following information:

- (a) The name and address of the customer, the telephone number or identifying number to which the service is billed, and the nature of the service provided by the Company.
- (b) A clear and concise statement of the reasons for the proposed termination of service.
- (c) The date after which service will be terminated unless the customer takes appropriate action. Pursuant to R. 103-633, Company will provide at least five days notice to the customer.
- (d) If the reason for termination of service is nonpayment of a delinquent account, the notice shall include a statement of the amount owed and the date of delinquency prompting termination.
- (e) The Company's telephone number which can be called toll-free and the address of the Company's office where a customer may make inquiries, pay the bill, make a complaint, or initiate an investigation.
- (f) A statement that any customer with an unresolved complaint may contact the SC PSC at (803) 737-5256.
- (g) The charge and the customer action necessary for reconnection of service.
- (h) Pursuant to R. 103-633, termination of service will occur only Monday through Thursday, and between 8:00 AM and 4:00 PM on those days.
- (I) Pursuant to R. 103-624.3, a customer may notify Company either orally or in writing to terminate service.

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SECTION 3 - DESCRIPTION OF SERVICES

3.1 Usage Based Services

- 3.1.1. Long distance usage charges are based on the actual usage of the Company's network. Timing for all calls begin when the called party answers the call (i.e. when two way communications are established.) Answer detection is based on standard industry answer detection methods, including hardware and software answer detection.
- 3.1.2 Chargeable time for all calls ends when one of the parties disconnects from the call.
- 3.1.3 Unless otherwise specified in this tariff, the minimum call duration for billing purposes is one minute.
- 3.1.4 Unless otherwise specified in this tariff, usage is measured and rounded to the higher increment for billing purposes.
- 3.1.5 There are no billing charges applied for incomplete calls.

3.2 Outbound Interexchange Service

Carrier's services include switched equal access outbound services using standard equal access dialing to place interLATA and intraLATA calls from customer premises to points located within South Carolina. Rates, charges and restrictions are set forth in § 4 following.

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SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.3 800/888 Service

800/888 service provides for the termination of inbound toll-free calls to one-party exchange access lines from points within South Carolina to Customer premises within South Carolina.

3.4 Calling Card Service

Carrier offers a calling card, which allows Customer to gain access to its long distance service from anywhere in South Carolina via a toll-free access number with service billed back to the Customer's account. Calling Card service allows customers to originate outbound, direct dial long distance calls. Calls are billed in one (1) minute increments. Rates, charges and restrictions are set forth in § 4 following.

3.5 Directory Assistance

The Company provides standard Directory Assistance.

3.6 Services Not Available

Carrier does not offer 900, 911, collect, or third-party billed calling. 911 service is offered by certified local exchange carriers in the state of South Carolina; 900 services are offered by other certified interexchange carriers (e.g. AT&T) in the state of South Carolina.

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SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.7 Calculation of Distance

Company's current services are not distance sensitive. Charges tariffed on a distance sensitive basis will be based on the airline distance between rate centers located within South Carolina. The distance between rate centers is determined by applying the vertical and horizontal coordinates associated with the rate centers involved as set forth in AT&T's FCC No. 10. A standard formula for calculating distance such as the following will be used.

Step 1 - Obtain the "V" and "H" coordinates for the originating point and the destination point.

Step 2 - Obtain the difference between both the "V" coordinates and "H" coordinates of each of the Rate Centers.

Step 3 - Square the differences obtained in Step 2.

Step 4 - Add the squares of the "V" difference and "H" difference obtained in Step 3.

Step 5 - Divide the sum of the square obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.

Step 6 - Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the originating and terminating serving rate centers.

FORMULA:

$$\sqrt{\frac{(V1 - V2)^2 + (H1 - H2)^2}{10}}$$

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SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.8 Minimum Call Completion Rate

Calls may be originated in equal access areas only (FGD) and Carrier's minimum call completion rate is 97%.

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SECTION 4 - MAXIMUM RATES AND CHARGES

4.1 Description of Rates

Outbound 1+ Switched and 800/888 services are available to business and residential subscribers under the following rate plans. Calls in the rate plans are billed in increments with minimum billing increments as specified. No charge is made for uncompleted calls.

4.2 Outbound 1+ Switched Interexchange Service

Outbound 1+ switched offers InterLATA/IntraLATA service, with no monthly service charge or installation charges. The Company's service is provided for use by presubscribed Customers or Authorized Users. Calls are routed over the Company's resold transmission and switching facilities to any valid NPA-NXX in the state of South Carolina. Calls are billed in one minute increments and are rounded up to the next highest increment.

InterLATA/ IntraLATA: \$0.058

4.3 800/888 Switched

800/888 service provides for the termination of inbound toll-free calls to one-party exchange access lines from points within South Carolina to Customer premises within South Carolina. Calls are billed in one minute increments and are rounded up to the next highest increment.

InterLATA/ IntraLATA: \$0.053

Monthly set-up charge: \$3.95

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SECTION 4 - MAXIMUM RATES AND CHARGES (Cont'd)

4.4 Calling Card Plan - Maximum Rate

Applicant offers a calling card to its customers. Callers using OLS's calling card service access the service by dialing a 1-800 number followed by an account identification number and the number being called. The rate below is not distance or time-of-day sensitive. Calls are billed in one (1) minute increments. Maximum charges for calls are as follows:

<u>Initial Minute</u>	<u>Subsequent Minute</u>
\$0.95	\$0.95

Monthly service charge per calling card: \$1.85

4.5 Directory Assistance Charge - Maximum Rate: \$1.50 per call

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SECTION 4 - MAXIMUM RATES AND CHARGES (Cont'd)

4.6 Method of Computing Charges

Charges for each call are totaled by rate period. If the computed charges include a fraction of a cent, the fraction is rounded up to the next whole cent (e.g., \$1.4266 would be rounded up to \$1.43).

4.7 Returned Check Charge

Carrier charges a fee for any check returned for insufficient funds. Said charge will not exceed the amount allowable under applicable state law.

4.8 Promotions

Carrier promotions, when offered, must be approved by the South Carolina P.S.C. Such promotions will specify any charges reduced or waived; customers who are eligible for the promotion; the conditions of eligibility; and the starting and ending dates of the promotional offer. Customers promotional rates are limited to ninety (90) days in any twelve (12) month period.

4.9 Miscellaneous Charges

A surcharge applies to all remote access calls, including 800/888 and calling card calls that are accessed by dialing 800/888, originated from payphones.

Per Call
\$0.50

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SECTION 5 - CURRENT RATE SCHEDULE

5.1 Description of Rates

Switched services are available to business and residential subscribers under the following rate plans. Calls in each rate plan are billed in one minute increments, with usage measured and rounded up to the next higher full minute increment for billing purposes. Calls in each rate plan have a minimum billing increment of one minute. No charge is made for an uncompleted call.

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SECTION 5 - CURRENT RATE SCHEDULE (Cont'd)

5.2 Outbound Services

OLS's rates for Rate Plan A and Rate Plan B differ according to time period. Peak hours are from 8:00 a.m. to 5:00 p.m. seven days per week. Off Peak hours are from 5:01 p.m. to 7:49 a.m. seven days per week.

5.2.1 Rate Plan A

Rate Plan A offers InterLATA/IntraLATA service, and is available to carrier's customers under its interexchange Rate Plans I, II, and III, Daytime Savings Plan, And Absolute Savings Plan of its F.C.C. Tariff No. 1. Calls are billed in one (1) minute increments and are rounded up to the next higher increment.

InterLATA/ IntraLATA: Usage Charge

Peak	\$0.25/minute
Off Peak	\$0.23/minute

5.2.2. Rate Plan B

Rate Plan B offers InterLATA/IntraLATA service, and is available to carrier's customers under its interexchange Rate Plan IV of its F.C.C. Tariff No. 1. Calls are billed in one (1) minute increments and are rounded up to the next higher increment.

InterLATA/ IntraLATA: Usage Charge

Peak	\$0.27/minute
Off Peak	\$0.24/minute

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SECTION 5 - CURRENT RATE SCHEDULE (Cont'd)

5.3 800/888 Service

Charges for inbound services are time and distance insensitive and are billed in one (1) minute increments and rounded up to the next higher increment.

InterLATA/ IntraLATA:	<u>Usage Charge</u>
	\$0.24/minute

5.4 Basic Calling Card Service

Calling card services are provided to customers at the following rate. Calls are time and distance insensitive and are billed in one (1) minute increments and rounded up to the next higher increment.

InterLATA/ IntraLATA:	<u>Usage Charge</u>
	\$0.25/minute

5.5 Frequent User Calling Card Service

Calling card services are provided to customers with a minimum monthly usage of \$20.00 at the following rate. Calls are time and distance insensitive and are billed in one (1) minute increments and rounded up to the next higher increment.

InterLATA/ IntraLATA:	<u>Usage Charge</u>
	\$0.24/minute

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SECTION 5 -CURRENT RATE SCHEDULE (Cont'd)

5.6 Directory Assistance

\$0.75/ call

5.7 Returned Check Charge

Carrier charges a fee for any check returned for insufficient funds. The fee shall not exceed the maximum amount allowed by state law.

5.8 Late Payment Charge

A late fee of 1.5% per month will be charged on any past due balance.

5.9 Miscellaneous Charge

A surcharge applies to all remote access calls, including 800/888 and calling card calls that are accessed by dialing 800/888, originated from payphones.

Per Call
\$0.30